Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: Canyon River Properties LLC
   268 Brandmann Trail
   Missoula, MT 59801
2. Type of action: Application for Beneficial Water Use Permit No. 76M 30114586
3. Water source name: Groundwater
4. Location affected by project: S2 Section 18 & N2 Section19 T13N, R18W, Missoula County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

In this Application to Change Water Right No. 76M-30114586 the Applicant proposes to add five points of diversion (wells) to the existing irrigation system which currently consists of five existing wells. Upon authorization the water right will utilize 10 points of diversion (wells) to irrigate lawn and garden around multiple home sites and common areas within the Canyon River subdivision. The flow rate, volume and place of use will not change.

Statement of Claim No. 76M-149703-00 was changed 8/09/2012 under change authorization number 76M-30050455. The change authorized 5 points of diversion (wells) to irrigate lawn and garden around multiple home sites and common areas and no longer pump water directly from the Clark Fork River.

Groundwater Application for Beneficial Water Use number 76M -30114584 was submitted concurrently with this change application. This application proposes to increase the flow rate diverted from the 10 wells during the May 1 to August 31 period of diversion for claim number 76M 149703-00 with no additional volume diverted during this period other than what was historically diverted using this claim. The permit application also requests flow rate and volume to be diverted during the months of April, September and October from the 10 wells to extend the irrigation season to match the growing season for climatic area 3. The combined flow rate will be 1,500 GPM up to 40.5 AF.

Flow rate in Gallons per minute

	April	May	June	July	August	September	October
76M-149703	0	500	500	500	500	0	0
76M30114584	1500	1000	1000	1000	1000	1500	1500

Volume in Acre-feet

	April	May	June	July	August	September	October	Total
76M-149703	0	13.68	35.58	51.68	43.51	0	0	144.39
76M30114584	5.7	0	0	0	0	31.6	3.2	40.5

The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-402 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment: (include agencies with overlapping jurisdiction)

Montana Natural Heritage Program	Species of Concern
Montana Department of Fish, Wildlife and Parks	2006 Montana dewatered streams
Montana Department of Environmental Quality	303(d) list of impaired streams

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity *- Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

The applicant proposes to utilize groundwater previously authorized under change authorization 76M-30050455. The Lower Clark Fork River, from Rattlesnake Creek to Blackfoot River, is not considered chronically or periodically dewatered by Montana Fish, Wildlife & Parks and is not included in controlled groundwater or basin closure areas.

Determination: No significant impact

Water quality *- Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

The proposed change in points of diversion, will not result in an increase in the amount of groundwater diverted.
Determination: The source is groundwater, see below

Groundwater *- Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

The proposed addition of five wells to the existing irrigation system will not result in an increase in volume of groundwater diverted for irrigation at the Canyon River Development. The

applicant has an existing water right that provides sufficient volume for irrigation. The purpose of this application is to add wells to allow for more efficient application of irrigation water to decrease the amount of time sprinklers are operated. There will be no increase in groundwater diverted as a result of this application.

There is not increase in volume of groundwater being diverted through addition of the five wells that would result in increased depletions of surface water. The water right used for irrigation of the Canyon River development has a priority date of December 11, 1904 and has been in constant use since this date. Historically, this water right was used to divert 240.85 AF of water from the Clark Fork River using pumps placed directly in the river. The historical water right was changed to allow surface water to be diverted using groundwater wells. The change in diversion authorized reduced the volume of water diverted to 144.39 AF and also reduced the amount of consumption allowed by approximately 9 AF. This proposed new use results in less surface water depletion than the historical water right.

Determination: No significant impact

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

The Applicant proposes to install five wells to the existing authorized irrigation system consisting of five wells and divert water from a total of ten groundwater wells powered by individual submersible turbine pumps, each capable of withdrawing at a rate of 120 GPM to 200 GPM and each connected to a main computerized irrigation system controller. The total flow rate will not exceed the previously authorized 500 GPM. The proposed use of groundwater will not impact any channels, cause adverse effect due to flow modifications, create any barriers or impact riparian areas, dams or other existing or future wells.
Determination: No impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

The Montana Natural Heritage Program was contacted to determine if there are any threatened or endangered fish, wildlife, plants, or aquatic species or any "species of special concern" that could be impacted by the proposed project.

In the vicinity of Sections 18 and 19, Township 13 North, Range 18 West, Missoula County, the Montana Natural Heritage Program identified the following animal species of concern: Western Toad, Great Blue Heron, Bald Eagle, Northern Goshawk, Flammulated Owl, Pileated Woodpecker, Clark's Nutcracker, Fringed Myotis, Hoary Bat, Fischer, Wolverine, Western

Skink, A Millipede, Westslope Cutthroat Trout, and Bull Trout. Also identified was the fungus, A Lichen.

According to Montana Fish, Wildlife, and Parks, the Lower Clark Fork River is not within a Bull Trout Core Area. Westslope Cutthroat Trout, both pure and hybridized populations based on genetic analysis, are rare in the stretch of the Lower Clark Fork River that encompasses the stretch from the Rattlesnake Creek to the Blackfoot River. Neither fishery will be impacted by the project nor will there be a result in any additional or new impacts to water availability in the Lower Clark Fork River that could impact these species. The diversions do not create a barrier to fish migration within the stream and no additional loss of habitat for any of the abovementioned species will result from the proposed project as the Applicant will be pumping directly from groundwater wells.

Determination: No significant impact

Wetlands **-** *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

The proposed project does not create or impact any wetlands.

Determination: No impact

Ponds **-** *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

The proposed project does not create or impact any ponds.
Determination: No impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Water application to soils consists of lawn and garden irrigation. Soils in the vicinity of the place of use consist primarily of silty clay loam, silt loam, and gravelly loam; none of these soil types are susceptible to saline seep.

Determination: No impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Lawn and garden areas are located on private lots and it is ultimately the landowner's responsibility to control the spread or establishment of noxious weeds. Canyon River Properties, LLC has the responsibility of controlling for weeds in all of the common areas irrigated with this water right.
Determination: No impact

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Deterioration of air quality and/or adverse effects on vegetation due to increased air pollutants is not expected. The water will be diverted using electric motors, therefore, there will be no emissions and/or increased noise levels associated with the proposed appropriation of groundwater.

Determination: No impact

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

N/A – project not located on State or Federal Lands
Determination:

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: No impact

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No impact

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

The proposed project will not inhibit, alter or impair access to present recreational opportunities in the area. The project is taking place on privately owned land and is bordered by either the Clark Fork River or the highway on all sides.
Determination: No impacts

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: No impact

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*
*Yes___ No_**X**_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination: No impact

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

(a) *Cultural uniqueness and diversity?* None identified

(b) *Local and state tax base and tax revenues?* None identified

(c) *Existing land uses?* None identified

(d) *Quantity and distribution of employment?* None identified

(e) *Distribution and density of population and housing?* None identified

(f) *Demands for government services?* None identified

(g) *Industrial and commercial activity?* None identified

(h) *Utilities?* None identified

(i) *Transportation?* None identified

(j) *Safety?* None identified

(k) *Other appropriate social and economic circumstances?* None identified

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts None identified

Cumulative Impacts None identified

3. *Describe any mitigation/stipulation measures:* None identified

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

PART III. Conclusion

1. Preferred Alternative N/A

2 Comments and Responses N/A

3. ***Finding:***
Yes___ No X__ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain <u>why</u> the EA is the appropriate level of analysis for this proposed action: AN EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THIS PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THE PROPOSED ACTION.

Name of person(s) responsible for preparation of EA:

Name: Kathy Schubert
Title: Water Resource Specialist
Date: 02/04/2020